

1 and paste of signatures. And what I want to bring to the
2 Court's attention is this letter dated February 27th would
3 have been the second day of the hearing when Mr. Ron Brasher
4 was the only witness the Court had heard from at that time.

5 The allegation of cut and paste did not happen
6 until several days later, when Ms. Jennifer Hill recanted
7 her prior testimony and admitted that she possibly did let
8 her name be used on the June '96 application.

9 MS. LANCASTER: Your Honor, I object. That
10 mischaracterizes the testimony and I would like to respond.

11 JUDGE STEINBERG: Now, I don't remember what
12 Ms. Hill said, frankly, and whatever her testimony is, it
13 is. But basically what are you quibbling with?

14 MR. PEDIGO: Is that the reason to seek the extra
15 opinion, a lot of that was known by the government prior to
16 February 27th, but the specific problem about the cut and
17 paste I think wasn't known until later.

18 JUDGE STEINBERG: Well, couldn't Ms. Lancaster
19 have thought it up in her own little brain, rather than --

20 MR. PEDIGO: She claims that there is an
21 allegation that came up in court and I just don't --

22 MS. LANCASTER: No, I do not. Read the letter.
23 It doesn't say it came up in court.

24 JUDGE STEINBERG: "There is an allegation that a
25 portion of the signature from K-7-17." There could have

1 been an allegation by -- I don't know. But I don't --
2 I mean, what is --

3 MR. PEDIGO: All right. I just --

4 JUDGE STEINBERG: No, I don't understand what I'm
5 supposed to do. I don't understand what you're saying.

6 MR. PEDIGO: I'm just disappointed that the
7 matters covered in this second report, they should have been
8 handled back in December and we shouldn't have had to wait
9 until Monday or Tuesday to have this report. This should
10 have been available prior to going into this hearing. And
11 that would have --

12 And here's what I want to -- that would have
13 fundamentally affected how we would have approached some of
14 these witnesses, whereas now I think the Court observed, you
15 know, there's going to be a balancing involved, and
16 I understand how you could take that position, but if we had
17 had that report, we would have had a better opportunity to
18 positively establish the facts that we think are integral.

19 I just want to say that it did harm us,
20 Your Honor.

21 JUDGE STEINBERG: I understand.

22 MR. PEDIGO: All right.

23 MS. LANCASTER: Your Honor, may I respond?

24 JUDGE STEINBERG: Yes.

25 MS. LANCASTER: There seems to be --

1 JUDGE STEINBERG: In fairness --

2 MS. LANCASTER: I'm being maligned here and
3 I would like to have an opportunity to respond to it.

4 The only reason that I asked Ms. Bolsover to do a
5 second examination of additional documents was because --
6 two reasons. One was because Mr. Higgs informed me -- I
7 asked him if he wanted to stipulate to the first report and
8 at the time he said they were going to put on their own
9 expert because we didn't look at enough documents and he
10 specified what documents his expert was going to testify to.

11 Consequently, I thought it would be nice, since we
12 were going to use Ms. Bolsover for cross-examination on
13 those documents, if I sent them to her and asked her to look
14 at those.

15 My impression prior to that time had been that the
16 postal forensic lab really didn't want copies, they only
17 wanted originals because copies are too unreliable.
18 Consequently, I didn't send them copies. Ends up
19 I accidentally sent her one that we thought was an original
20 and she informed me it was not an original, but aside from
21 that, I tried to send originals.

22 I would like to also point out that they knew what
23 their expert's testimony was going to be and has yet to be
24 offered. I have asked what the testimony was going to be.
25 Had they given me some indication of it, perhaps I would

1 have felt inclined to tell them I was having these other
2 documents examined, but I have been very open to them in the
3 beginning and they have not been open at all to me and I was
4 planning to use this information for cross-examination.
5 I have a perfect right to do that. It does not imply
6 anything unethical at all. If it did, then they would be
7 unethical because they didn't talk to me about what their
8 witness was going to say. And, you know, what's good for
9 the goose is good for the gander.

10 I would also like to add, Your Honor, that since
11 looking at what their exhibits were going to be,
12 Ms. Bolsover would like to do an additional examination
13 because it appears to her that there are some signatures on
14 here that are listed for one document that were probably
15 used, cut and pasted or duplicated and used on Norma Sumpter
16 original application. Client copy. Excuse me. Not the
17 original application, the client copy.

18 JUDGE STEINBERG: Okay. So basically --

19 MR. ROMNEY: If I could respond?

20 JUDGE STEINBERG: This is the last -- you
21 respond -- Mr. Romney, Mr. Pedigo and then we'll hear from
22 Ms. Lancaster and then we'll end this subject, this venting.

23 MR. ROMNEY: There is nothing for Ms. Bolsover to
24 testify about because there is no exhibit before this Court.
25 There is nothing for her to rebut. They got a chance to put

1 her on and if you want --

2 I'll refer you to Judge's Exhibit No. 5, which was
3 sent to all of us on the 21st of February that has all of
4 the documents that she was supposedly receiving to look at
5 and now today I would refer you to Judge's Exhibit No. 2,
6 which was a letter back on the 29th of January, almost a
7 month before that, and this is the first time we ever hear
8 about these documents going to their expert, Your Honor. It
9 was this morning.

10 I mean, you want to talk about hiding the ball,
11 she was looking at other business documents. That wasn't
12 disclosed on this report that was given to us, Judge's
13 Exhibit No. 5. Where did this come from? I mean, what's
14 that all about?

15 We get an exhibit that looks like a report from
16 their expert that is extremely cursory at best and then
17 we're expected to just guess everything that she's doing
18 without telling us about it. That is hiding the ball. That
19 is exactly the definition of it.

20 MR. PEDIGO: Last thing, and I don't mean any
21 disrespect about motives, but I do want to say that
22 regardless of the motive, if it's just oversight, the
23 prejudice is the same to my client. That's the only
24 argument I want to make to the Court. We are still
25 prejudiced to the same extent by not having this exculpatory

1 information created far in advance of even the hearing and
2 certainly to have it before the very witnesses that we
3 needed it to cross-examine. So I don't mean to say that,
4 but the prejudice to my client is still the same.

5 JUDGE STEINBERG: Okay. Last word.

6 MS. LANCASTER: To be perfectly honest, I do not
7 recall sending that other letter prior to -- I'd have to go
8 back and look at it, Your Honor, but when I sent the fax to
9 everybody --

10 Wait a minute. I never represented that --
11 I don't think I said anything about the known documents.
12 I simply sent -- did I?

13 MR. ROMNEY: The fax strip on the bottom says
14 February 21st to Schwaninger & Associates. I don't know how
15 they got it.

16 JUDGE STEINBERG: Well, that listed the questioned
17 documents, the known documents and contained the report.

18 MR. ROMNEY: That's right.

19 MS. LANCASTER: Yes, sir.

20 MR. HIGGS: All of it. They represented that
21 there was a complete list of the known documents in there.

22 JUDGE STEINBERG: Okay. Well, let's hear from
23 Ms. Lancaster.

24 Ms. Lancaster will have the last word and then
25 we'll go on because this is nothing but venting.

1 MS. LANCASTER: Your Honor, at the time,
2 I honestly had forgotten about the second letter, that we
3 had sent more known documents. It doesn't affect the
4 report. They don't have access to those known documents.
5 The second ones were the batch of originals that the
6 Sumpters and Ms. Lutz had brought, so it has no effect on
7 their case, the second list of documents. But I had just
8 forgotten about it. I sent to them when I got the report
9 what I had gotten back from Ms. Bolsover and in that list
10 was the original list of documents. It was not any
11 nefarious scheme on my part to not let them know all of the
12 known documents because, frankly, that's irrelevant. That
13 doesn't prove anything. They don't have copies of those, so
14 what would it have done if they'd had a list of additional
15 documents?

16 The point being I didn't have to send them
17 anything. I was not required to send them anything and
18 I was trying to do it in a cooperative manner and I was
19 trying to give them the report. I'm sorry I forgot to send
20 the second letter with more known documents, but it did not
21 affect the report that I gave them.

22 And, secondly, once we got here and Mr. Higgs had
23 his conversation with me -- and actually the allegation,
24 Mr. McVeigh when he first showed up asked me to check that
25 and that's what precipitated sending the second request. It

1 was not testimony that was given in court, I didn't say in
2 the letter it was testimony given in court. But it was an
3 allegation that Mr. McVeigh conveyed to me and I thought
4 I'll check for him, basically. And I did.

5 I mean, I'm checking -- I'm just trying to find
6 out who signed what when and, you know, there was nothing --
7 I'm not trying to hide anything or conspire to trick them or
8 to trick the court.

9 JUDGE STEINBERG: Okay. Let's move on. What's
10 the next order of business?

11 Let me just -- housekeeping. Housekeeping. In
12 light of my ruling on Ms. Edison, RB/PB Exhibits 13 and 14
13 are rejected, so that's just housekeeping.

14 MR. KNOWLES-KELLETT: Could we revisit 71, 2 and
15 3?

16 JUDGE STEINBERG: Yes. That's the next on the
17 list.

18 (Pause.)

19 JUDGE STEINBERG: Okay. Now, as Mr. Kellett
20 correctly pointed out, this morning -- there were three
21 exhibits, EB Exhibit 71, 72 and 73 were identified but not
22 offered.

23 MR. KNOWLES-KELLETT: My understanding of these,
24 Your Honor, is we could take --

25 MR. ROMNEY: What are they? I may not have an

1 objection.

2 MR. KNOWLES-KELLETT: They're the public notices
3 regarding the 900 megahertz lotteries.

4 JUDGE STEINBERG: Let's go off the record and let
5 Mr. Romney find them.

6 (A brief recess was taken.)

7 JUDGE STEINBERG: Back on the record.

8 Mr. Kellett?

9 MR. KNOWLES-KELLETT: I think since these are
10 official public notices, Your Honor, they could just be
11 cited in proposed conclusion of law as published notices of
12 the Commission, but because they're not available on Westlaw
13 or the web because they are so old, I would like that the
14 get put in the record, just so that they're available to
15 people. And I think it's perfectly reasonable to ask the
16 Court to take official notice of these documents.

17 JUDGE STEINBERG: Is there any objection to the
18 receipt of these three exhibits on an official notice basis?

19 MR. ROMNEY: I confess to not knowing exactly what
20 official notice means to the agency, Your Honor.

21 JUDGE STEINBERG: Official notice means -- let's
22 say, take Exhibit 71. Official notice is that a public
23 notice was issued on July 1, 1987 and I guess on page 2,
24 that the winners of whatever the heck this is were --
25 whatever it says, winners 1 through whatever and

1 alternates -- those were the alternates for each of the
2 markets. And that's what official notice means.

3 MR. ROMNEY: I imagine that Your Honor can take
4 official notice of them without my objection or not, so
5 I have no objection, Your Honor.

6 JUDGE STEINBERG: You're probably right.

7 MR. ROMNEY: I will concede.

8 MR. PEDIGO: Well, I will object on grounds of
9 relevance.

10 JUDGE STEINBERG: Okay. You may explain the
11 relevance. Or if he cites them in findings you can argue
12 relevance then, too.

13 MR. PEDIGO: I'd just as soon handle it that way
14 and we can go on to the next order of business.

15 MR. KNOWLES-KELLETT: I'm fine with that,
16 Your Honor.

17 JUDGE STEINBERG: Okay.

18 MR. KNOWLES-KELLETT: IF they don't come up, it
19 doesn't matter.

20 JUDGE STEINBERG: Okay. So basically you don't
21 object provided that you reserve the right if they're used
22 later to make whatever argument you want to make which you
23 would have the right to do anyway.

24 MR. PEDIGO: On grounds of relevance.

25 JUDGE STEINBERG: Okay.

1 MR. ROMNEY: I want that, too, Your Honor.

2 JUDGE STEINBERG: Okay. EB Exhibits 71, 72, and
3 73 are received for official notice purposes.

4 (The documents referred to,
5 previously identified as EB
6 Exhibits No. 71, 72 and 73,
7 were received in evidence.)

8 JUDGE STEINBERG: Okay. Now, what is the next
9 thing we have to do?

10 And feel free, anybody --

11 (Pause.)

12 JUDGE STEINBERG: Okay. Ms. Lancaster, is there
13 any next thing that you have to do?

14 MS. LANCASTER: One second, Your Honor.

15 JUDGE STEINBERG: Okay.

16 MS. LANCASTER: We rest, Your Honor.

17 JUDGE STEINBERG: Mr. Romney?

18 MR. ROMNEY: Your Honor, in rebuttal, I would call
19 Mr. Ron Brasher for limited purposes of my rebuttal
20 questions. I ask that it be in the form of rebuttal and
21 that we not revisit every issue that ever came up in this
22 whole matter, certainly.

23 JUDGE STEINBERG: The ground rules for rebuttal is
24 you put Mr. Brasher up, you ask him questions, the
25 cross-examination is limited to those questions. And then

1 redirect, the same thing.

2 MR. ROMNEY: Okay.

3 JUDGE STEINBERG: That's my concept.

4 MR. ROMNEY: That's my concept, too, and I just
5 wanted to make sure that we're all on the same page of the
6 hymn book here.

7 JUDGE STEINBERG: Okay. And if that wasn't
8 anybody's concept, it is now.

9 MR. ROMNEY: Your Honor, if I could get copies of
10 RB/PB Exhibit 4, 7, and 8 before Mr. Brasher?

11 JUDGE STEINBERG: Okay. Let's go off the record.

12 (A brief recess was taken.)

13 JUDGE STEINBERG: Let me remind you, Mr. Brasher,
14 that you are still under oath.

15 Whereupon,

16 RONALD BRASHER

17 having been previously duly sworn, was recalled as
18 a witness herein and was examined and testified further as
19 follows:

20 DIRECT EXAMINATION

21 BY MR. ROMNEY:

22 Q Mr. Brasher, I'll ask you to take RB/PB Exhibit
23 No. 4 in your hand, please.

24 A All right.

25 Q Do you recognize that document?

1 A Yes, sir. I do.

2 Q What is it?

3 A This is a business who makes money by sending to
4 radio licensees who have already been issued a license
5 telling them how they can get part 90 books, rules and
6 regulations from FCC, which they in turn send and charge the
7 customer X number of dollars.

8 Q How did you come into possession of that document,
9 sir?

10 A This one was sent to us through our business from
11 Norma Sumpter or the Sumpters' accounting firm.

12 Q Who is it addressed to, sir?

13 A Addressed to Jennifer Hill at 4312 Gus Thomasson
14 Road.

15 Q To the best of your knowledge, from where did you
16 receive that document?

17 A This came in our monthly pick up from the
18 Sumpters' accounting firm.

19 Q There is attached to an envelope. Is that
20 correct?

21 A Envelope which was mailed by Business Radio
22 Licensing to Jennifer Hill.

23 MR. ROMNEY: Move the admission of Exhibit No. 4,
24 Your Honor, RB/PB 4.

25 JUDGE STEINBERG: Any objection?

1 MS. LANCASTER: Yes, Your Honor. May I voir dire
2 the witness momentarily about it?

3 JUDGE STEINBERG: Yes.

4 VOIR DIRE EXAMINATION

5 BY MS. LANCASTER:

6 Q Mr. Brasher, specifically when did you get this
7 form?

8 A It would have been probably a month or so after
9 Jennifer sent it to her mother, probably a month after
10 Jennifer sent it to her mother.

11 Q Well, I didn't ask that. That still doesn't tell
12 me when. Do you remember the date that you got it?

13 A This would probably be -- I would say probably in
14 November or something like that of '96.

15 Q Isn't it fair to say that you don't really know
16 when you got it? You don't really remember, do you?

17 A Yes, I remember getting it.

18 Q You remember specifically getting this particular
19 form?

20 A That's correct.

21 Q Okay. And you said you remember getting it in
22 November of 1996.

23 A Yes. Somewhere along through that period of time.

24 Q Okay. What other documents did you get with it?

25 MR. ROMNEY: Objection, Your Honor. That's not

1 proper voir dire.

2 JUDGE STEINBERG: I think it's testing -- it's
3 either voir dire or cross-examination.

4 MS. LANCASTER: If he has a specific memory of
5 this document, I have a right to see if he has a specific
6 memory of other documents, Your Honor.

7 MR. ROMNEY: That's cross-exam, Your Honor.

8 JUDGE STEINBERG: That crosses over.

9 BY MS. LANCASTER:

10 Q And you specifically recall -- how did you get it?

11 A Through our business, our company business folder
12 we pick up every month.

13 Q Okay. Did you pick it up?

14 A Yes. We picked it up.

15 Q No, not we. Did you pick it up?

16 A Myself or my wife picked it up.

17 Q Okay. Do you know who specifically picked it up?

18 A No.

19 Q When was the first time you saw this document?

20 A When it arrived some time in October or November.

21 Q You first saw it after -- just some time in
22 your office? Did you actually open the envelope that it
23 came in?

24 A No, it was already open and it was in our mail and
25 once our package of our work is opened up, this was handed

1 over to me.

2 Q Okay. Who opened up the package of work?

3 A It would have been either Pat or Diane.

4 Q Okay. So all you know really is that you were
5 handed this document by either Pat or Diane. Isn't that
6 correct?

7 A That is true.

8 Q Okay. You didn't open up the envelope that it
9 came to your office in and you didn't pick it up personally.
10 Is that true?

11 A I might have. I might have.

12 Q You don't remember though.

13 A No.

14 Q All you remember is that Pat or Diane or whoever
15 opened the mail that day -- all you know is somebody handed
16 you this document.

17 A It wasn't opening the mail, it was opening our
18 company business.

19 Q Okay. All you know is that somebody in your
20 office handed you this document.

21 A Yes.

22 MS. LANCASTER: Your Honor, he has no personal
23 knowledge of it and I would ask that it not be admitted.

24 JUDGE STEINBERG: The objection is overruled.

25 RB/PB Exhibit No. 4 is received.

1 (The document referred to,
2 previously identified as RB/PB
3 Exhibit No. 4, was received in
4 evidence.)

5 MR. ROMNEY: Thank you.

6 DIRECT EXAMINATION (RESUMED)

7 BY MR. ROMNEY:

8 Q Mr. Brasher, would you take in front of you,
9 please, RB/PB Exhibit No. 7?

10 A I have it.

11 Q Is there a typographical error on that document,
12 sir?

13 A Yes, there is.

14 Q Where is it, please?

15 A At the rates.

16 Q What is the error?

17 A The error, this particular customer pays \$18 for
18 two sites. The 15 should have been 18 and the 18 should
19 have been zero.

20 Q Would you demonstrate to the Court where you're
21 talking about, please? Show the judge, please, he's the one
22 who has to make these determinations.

23 A It would be --

24 JUDGE STEINBERG: Yes, I can see it. Where it
25 says rates.

1 THE WITNESS: Yes, sir.

2 JUDGE STEINBERG: The number is \$15.00 and you
3 said that should be \$18?

4 THE WITNESS: Yes, sir.

5 JUDGE STEINBERG: Okay.

6 THE WITNESS: And this is what the customer --

7 JUDGE STEINBERG: Correct. And then you said on
8 the same line of type, it should -- where it says \$18.00,
9 what should that be?

10 THE WITNESS: Zero zero zero zero.

11 JUDGE STEINBERG: Okay.

12 BY MR. ROMNEY:

13 Q What is this document, sir?

14 A This is the customer's -- this is made out for
15 each customer as they go on the system and the numbers in
16 writing there is the invoice number that the customer is
17 sent. This is a monthly, by year and it's generally on a
18 two-year basis, an accumulation of what the customer has
19 been billed and what the customer should pay, plus a list of
20 the serial numbers which the customer has.

21 JUDGE STEINBERG: Those are the radios?

22 THE WITNESS: Yes, sir.

23 JUDGE STEINBERG: Two-ways?

24 THE WITNESS: Yes, sir.

25 BY MR. ROMNEY:

1 Q And up there on the line, do you see on the first
2 page, sir, of RB/PB Exhibit 7, where it says service sites?

3 A Yes, sir.

4 Q Would you explain to the Court what that is?

5 A Where it says service sites, it has Dallas, Fort
6 Worth and Allen. Now, where it says Dallas, it's got a code
7 05-020, Fort Worth it has none, I mean, there is no service
8 on the Fort Worth site, and Allen has 01-020. And that's
9 their codes for that customer's access to the system.

10 Q What is the last page of that document?

11 A The last page is by repeater the codes which that
12 customer uses their equipment.

13 Q And I'll refer you to the box at the top of the
14 document that says Dallas and then home channel 05. Do you
15 see that, sir?

16 A Yes, sir.

17 Q Does that have any reference back to that line of
18 service site that's on the front page?

19 A Yes, sir. Where you see 05, that's what that 05
20 means. That's the first symbol of the customer's code, the
21 first two digits, 05. And that's the channel and that's the
22 channel frequency over on the left side, where it says
23 frequency repeater.

24 Q And about the middle of the page on the far
25 left-hand side column, where it says 020? Do you see that

1 on the third page?

2 A Yes, sir.

3 Q What is that?

4 A That's the customer last three digits of the code
5 and that's the North Texas Roofing. That's who uses that
6 code. And that's the only one that uses that code.

7 Q Are you able to make any determinations of revenue
8 from this particular document?

9 A Yes, sir. We can pull off of the -- they have a
10 controller at the repeater sites which tells you the use by
11 each one of these codes of that customer on a daily basis,
12 accumulated up to a week, month. Yes. Along through there,
13 we can go from there on up to a year.

14 Q What kind of determinations are you able to make
15 about revenue as between the various sites from that?

16 A You can tell on this North Texas Roofing how many
17 minutes per day that customer is in use or uses his system.

18 Q Uses the various -- what part of the system or is
19 there --

20 A That repeater right there. That repeater alone.

21 Q Are you able to tell how much they use Dallas
22 versus Allen?

23 A Yes, sir. By pulling the same controller, using
24 the control that's on each one of them.

25 Q Once you have that information of the relative use

1 between Dallas and Allen for the customer, are you able to
2 then start to make an internal calculation as to revenues?

3 A Yes, we can.

4 Q And you're able to make a determination as to
5 revenue for Allen as opposed to Dallas?

6 A That's correct.

7 Q I'll ask you to pick up before you RB/PB Exhibit
8 8.

9 MS. LANCASTER: May I ask a question? How many
10 pages is RB/PB Exhibit 7?

11 MR. ROMNEY: Three.

12 JUDGE STEINBERG: Three.

13 MS. LANCASTER: Three? Okay. I just wanted to
14 make sure. We've got some upside down.

15 MR. ROMNEY: Your Honor, does your record indicate
16 that 7 has been admitted? I believe it was over Ms. Lutz's
17 testimony.

18 JUDGE STEINBERG: Yes. 7 was received on the 5th.

19 MR. ROMNEY: Thank you.

20 Your Honor, if I may inquire, are there any other
21 documents of mine, RB/PB exhibits, that have not been
22 admitted other than the two withdrawn today?

23 JUDGE STEINBERG: I have them all received.

24 MR. ROMNEY: Thank you.

25 JUDGE STEINBERG: I have everybody's received,

1 including my own.

2 MR. ROMNEY: Okay. That's all I wanted to know.
3 Just a little housekeeping.

4 BY MR. ROMNEY:

5 Q Now, Mr. Brasher, with RB/PB Exhibit No. 8 in
6 front of you, were you present when Mr. Hill testified about
7 that particular document?

8 A Yes, sir.

9 Q There are some schedules attached to the back of
10 that document that Mr. Hill I believe said something about
11 your wife, Patricia, had prepared?

12 A Yes, sir.

13 Q Do you recognize those particular documents?

14 A Yes, sir. I do.

15 Q Do you know what they are?

16 A Yes. This is --

17 Q Do you know what they are?

18 A Yes, sir.

19 Q What are they?

20 A Each customer -- and that's the customer account
21 on the left side, the number of mobiles and then the rate
22 off the rate sheet telling what site these customers have.

23 Q When you say "off the rate sheet," what are you
24 talking about?

25 A The exhibit number RB/PB Exhibit 7.

1 Q Now, is there a rate sheet like RB/PB Exhibit 7
2 for all of the customers?

3 A Every customer.

4 Q And did you give your wife any instructions on the
5 preparation of the schedules that are attached to Exhibit 8?

6 A Yes, sir. I did.

7 Q Please explain to the Court what you asked
8 Mrs. Patricia Brasher to do in preparing those schedules.

9 A I've asked her to take each one of the customer's
10 sheets --

11 Q As exhibited by Exhibit No. 7?

12 A Exhibit No. 7. Reviewed the months usage by
13 invoice and that tells you how many months per year,
14 calculate a sheet like this for every month for every year,
15 going back to 1996, I believe, 1996 all the way up through
16 the year 2000.

17 Q Did you provide her with the invoices and the
18 customer sheets from which she could make those schedules?

19 A Yes. We pulled it and --

20 Q You say "we." Are you saying you and your wife
21 pulled it?

22 A I did at work with the front desk. They had me
23 pull each one of these tickets here.

24 Q And did you give that information to Mrs. Patricia
25 Brasher?

1 A I did.

2 Q Did you observe Mrs. Brasher as she began to make
3 those schedules?

4 A Yes, sir.

5 Q Did you sit with her the whole time that she was
6 making the schedules?

7 A No, I did not.

8 Q Do you have any reason to believe that she did not
9 accurately complete the schedules as you had requested her
10 to do?

11 A No, because I went back and reviewed spots, spot
12 reviewed back through by months and compared this just to be
13 sure.

14 JUDGE STEINBERG: When you say "compared this" --

15 THE WITNESS: Oh, I'm sorry. I compared a month
16 to a month.

17 JUDGE STEINBERG: On the invoices.

18 THE WITNESS: The invoices to this and that told
19 me how many mobiles were there. Because the mobiles change.

20 BY MR. ROMNEY:

21 Q And when you say "this," you were referring to --

22 JUDGE STEINBERG: The schedules.

23 BY MR. ROMNEY:

24 Q The schedule on Exhibit 8?

25 A Yes, sir.

1 Q Okay.

2 A And by looking at the -- seeing if there's any
3 changes, that's what I looked for, if all of a sudden a
4 customer goes from 10 to 20 mobiles, then that change is on
5 that month's sheet and then we accumulate it by what we know
6 the customer used by the site.

7 Q Do you have any reason to believe that the
8 schedules attached to RB/PB Exhibit No. 8 are inaccurate?

9 A No, sir. I have no reason to believe that at all.

10 Q Do you have reason to believe that they are
11 accurate?

12 A Yes, I do.

13 Q There was testimony yesterday by Mrs. Norma
14 Sumpter that she wrote certain checks for applications in
15 1990 and 1992, I believe, and there may have been another
16 year there that she had an application that she gave checks
17 from Sumpter Accounting written out to the FCC.

18 Do you recall that testimony, sir?

19 A Yes, sir. I do.

20 Q Do you recall her testifying that you reimbursed
21 her for those checks?

22 A Yes, sir.

23 Q Did you?

24 A No.

25 Q Did you reimburse Mr. Lewis for any checks?

1 A No.

2 Q Did you reimburse anybody?

3 A No.

4 Q Did Mrs. Norma Sumpter ever make any request to
5 your knowledge about having any stations turned off?

6 A Yes, she did.

7 Q Tell the Court what you know about that.

8 A It's the second month in 1997 or 19 -- I think it
9 was 1997. She called and asked that her --

10 Q Who did she call?

11 A She called Susan. I'm sorry. She called Susan.

12 Q Sue Lutz?

13 A Sue Lutz. Yes.

14 Q Did you receive a message, some sort of
15 information from Sue Lutz?

16 A Yes. She asked me to turn Norma's and Melissa's
17 station off.

18 Q The stations that were operating under the
19 licenses that were obtained in 1996 in their names?

20 A Correct.

21 Q Did you talk to Norma personally about that?

22 A Yes. I gave her a call because Sue didn't have
23 the authority to tell me to do that, so I called Norma and
24 she confirmed it.

25 Q And what did you do in response to her request?